

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

|                          |   |                  |
|--------------------------|---|------------------|
| MARC WAYNE HOLLIDAY,     | ) |                  |
|                          | ) |                  |
| Plaintiff,               | ) |                  |
|                          | ) |                  |
| v.                       | ) | CIVIL ACTION NO. |
|                          | ) | 2:18cv535-MHT    |
|                          | ) | (WO)             |
| DAVID KARN, Court        | ) |                  |
| Appointed Counsel, and   | ) |                  |
| SIBLEY REYNOLDS, Circuit | ) |                  |
| Court Judge,             | ) |                  |
|                          | ) |                  |
| Defendants.              | ) |                  |

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Plaintiff's objections (doc. no. 5) are overruled.

(2) The United States Magistrate Judge's recommendation (doc. no. 4) is adopted.

(3) Plaintiff's claims seeking declaratory and injunctive relief against the named defendants with respect to actions which occurred during state criminal

proceedings before the Circuit Court of Chilton County, Alabama are dismissed with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

(4) Plaintiff's claims challenging the validity of his second-degree sodomy conviction and resulting sentence imposed upon him by the Circuit Court of Chilton County, Alabama are dismissed without prejudice in accordance with 28 U.S.C. § 1915(e)(2)(B)(ii), as such claims are not properly before the court in the instant cause of action.

(5) This lawsuit is dismissed, with no costs taxed.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 20th day of June, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE